

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - July 15, 1970

Appeal No. 10472 Second New St. Paul Baptist Church and Second
New St. Paul Housing, Inc., appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of September 22, 1970.

EFFECTIVE DATE OF ORDER - January 29, 1971

ORDERED:

That the appeal for variance from rear yard requirements of R-1-B District to permit addition to existing church and to subdivide lots for church and philanthropic organization at 2400 and 2410 Franklin Street, N. E., lots 801-810 and 15, Square 4286, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-1-B District.
2. The subject property is improved with a church and elderly housing project.
3. Appellant proposes to erect an addition to the existing church and to subdivide lots for the church and philanthropic organization.
4. Appellant alleged that the addition to the church would be the pastor's study which would be on the rear corner of the Mills Avenue side of the church. Appellant also alleged that addition would maintain the 25 foot rear yard requirement until it reaches the left of the 30 foot rear yard portion next to Mills Avenue.

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5. Appellant further alleged that the proposed subdivision of lot 810 would result in a net reduction in the elderly housing site of 160 square feet. However, if the side yard is reduced on the east boundary between the church and the elderly project to 8.5 feet there would be a net increase in the elderly site of 48 square feet.

6. Appellant proposes to subdivide the subject property lot 810 and give the west 25 foot portion of the lot to the New St. Paul Housing Corp. in order to have a route from Franklin Street to the main entrance of the building which sits back about 150 feet from Franklin Street (See BZA Exhibit No. 2).

7. The National Capital Planning Commission at its meeting on August 6, 1970 recommended approval of this appeal.

8. No opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

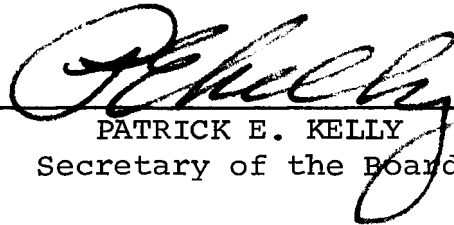
The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.

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BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: _____



PATRICK E. KELLY
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF
SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR
OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS
WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF
THIS ORDER.